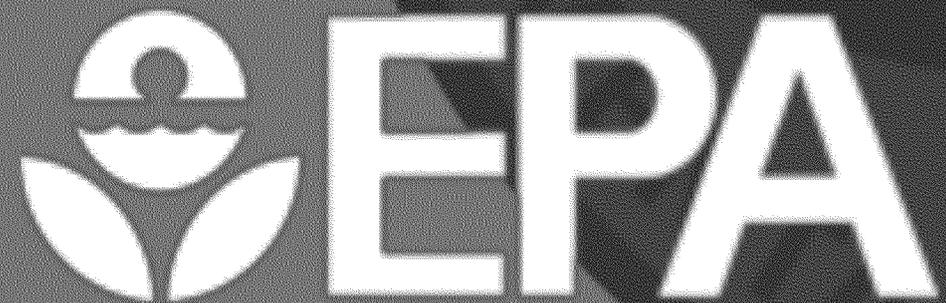


OPPT Knowledge Series:

Formaldehyde Emission Standards for Composite Wood Products

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Presentation Overview

1. Before the Formaldehyde Standards for Composite Wood Products Act (TSCA Title VI)
2. TSCA Title VI
3. What are the Regulated Composite Wood Products?
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9. Third-Party Certification Exemptions and Reduced Testing
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Before the Formaldehyde Standards for Composite Wood Products Act

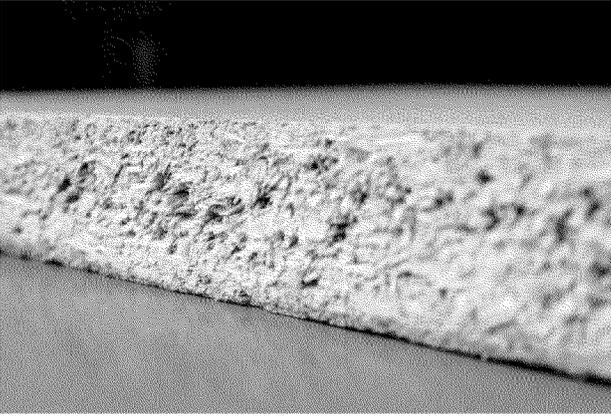


- Formaldehyde is a colorless, flammable gas at room temperature and has a strong odor.
 - Formaldehyde can cause respiratory irritation, watery eyes and is classified by EPA as a probable human carcinogen.
 - Travel trailers used after Hurricanes' Katrina and Rita in 2005 contained composite wood that emitted high levels of formaldehyde.
-
- The California Air Resources Board (CARB) established a Formaldehyde Air Toxics Control Measure (ATCM) in 2007.
 - On March 24, 2008, Sierra Club and others submitted a TSCA Section 21 petition to adopt the CARB standards through section TSCA 6(a).
 - EPA partially denied and accepted the petition to investigate potential regulatory action.
 - OPPT held meetings nationwide to take comment.
 - Industry and environmental groups then worked with Congress to craft TSCA Title VI.

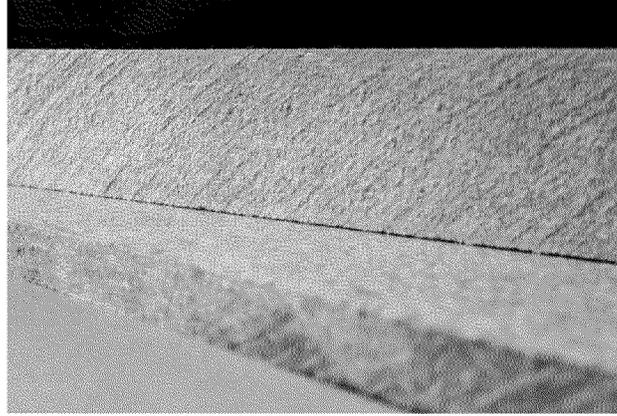
TSCA Title VI

- On July 7, 2010, the Formaldehyde Standards for Composite Wood Products Act was signed into law to become Title VI of the Toxic Substances Control Act (TSCA).
- TSCA Title VI establishes formaldehyde emission standards for composite wood products identical to the California Air Resources Board (CARB) limits.
- TSCA Title VI also directs EPA to implement regulations to ensure compliance with the formaldehyde emission standards.

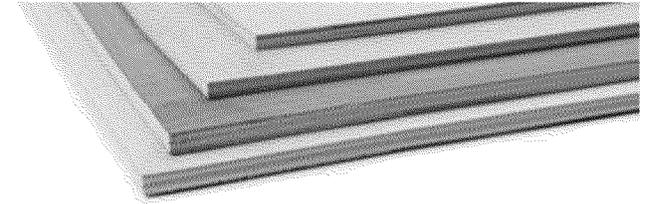
What are the Regulated Composite Wood Products?



Particleboard



**Medium-density
Fiberboard (MDF)**



Hardwood Plywood

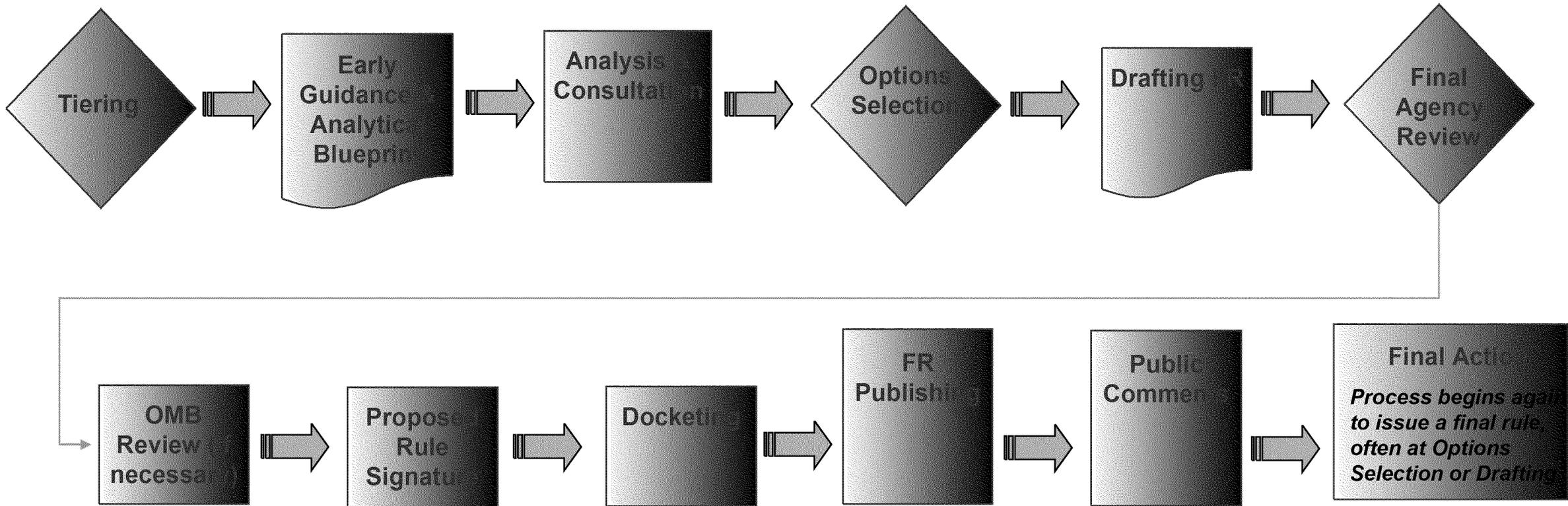
The Formaldehyde Emission Standards



Product	Emission Standard
Hardwood Plywood – Veneer Core	0.05 ppm of formaldehyde
Hardwood Plywood – Composite Core	0.05 ppm of formaldehyde
Medium-Density Fiberboard	0.11 ppm of formaldehyde
Thin Medium-Density Fiberboard	0.13 ppm of formaldehyde
Particleboard	0.09 ppm of formaldehyde



Action Development Process (ADP)



Proposed rule



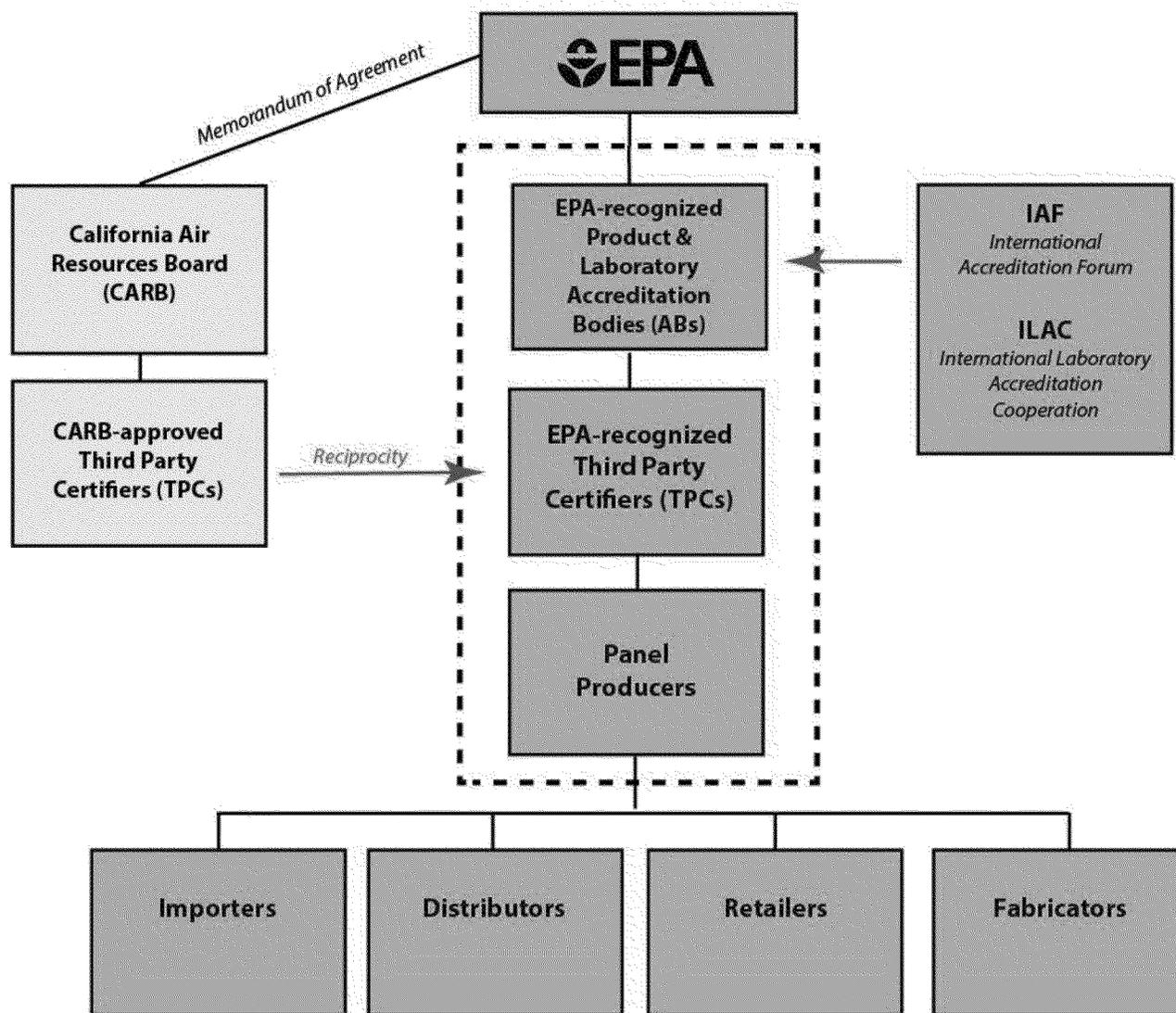
- EPA issued two proposed rules on June 10, 2013.
 - The first was to implement the formaldehyde emission standards and provisions to ensure compliance with those standards.
 - The second was to establish a framework for a third-party certification program.
- ~ 150 comments submitted for both rules.
 - Comments from regulated stakeholders, CARB, TPCs, trade associations, accreditation bodies (ABs) and their associations, public health/environmental groups, China, and the European Union.
- EPA held several meetings with industry stakeholders and held a public meeting on laminated products on April 28, 2014.

Final Rule



- Composite wood products must be tested and certified by an EPA-recognized third-party certifier (TPC), also called an EPA TSCA Title VI TPC, ensuring only compliant products enter the product supply chain.
- The regulation includes recordkeeping, reporting, and labeling requirements.

Final Rule Framework



Who Is Regulated?

Accreditation bodies (ABs) must be recognized by EPA after entering into a recognition agreement with the Agency.

There are two categories of **ABs**— Laboratory ABs and Product ABs – who must:

1. Ensure third-party certifiers (TPCs) and/or their laboratories meet international voluntary consensus standards.
2. Provide notifications to EPA.
3. Maintain records and submit annual reports to document TPC compliance.
4. Identify an “agent for service” located in the U.S., if not a domestic entity.



Who Is Regulated?

Under TSCA Title VI, **third-party certifiers (TPCs)** must:

1. Certify that composite wood products meet the formaldehyde emission standards and comply with international voluntary consensus standards.
2. Provide notifications to EPA about status changes.
3. Maintain records and submit annual reports to EPA.
4. Identify an “agent for service” located in the U.S. if not a domestic entity.



Who Is Regulated?

- TPCs must apply to and be recognized by EPA before certifying composite wood products.
 - During a transitional period CARB TPCs may certify composite wood products after being recognized by EPA without having received the rule specific accreditations from an EPA-recognized AB.
 - After the transitional period, CARB TPCs must have the required accreditations by an EPA-recognized AB to retain EPA recognition under reciprocity.



Who Is Regulated?

Panel producers (panel manufacturers) must:

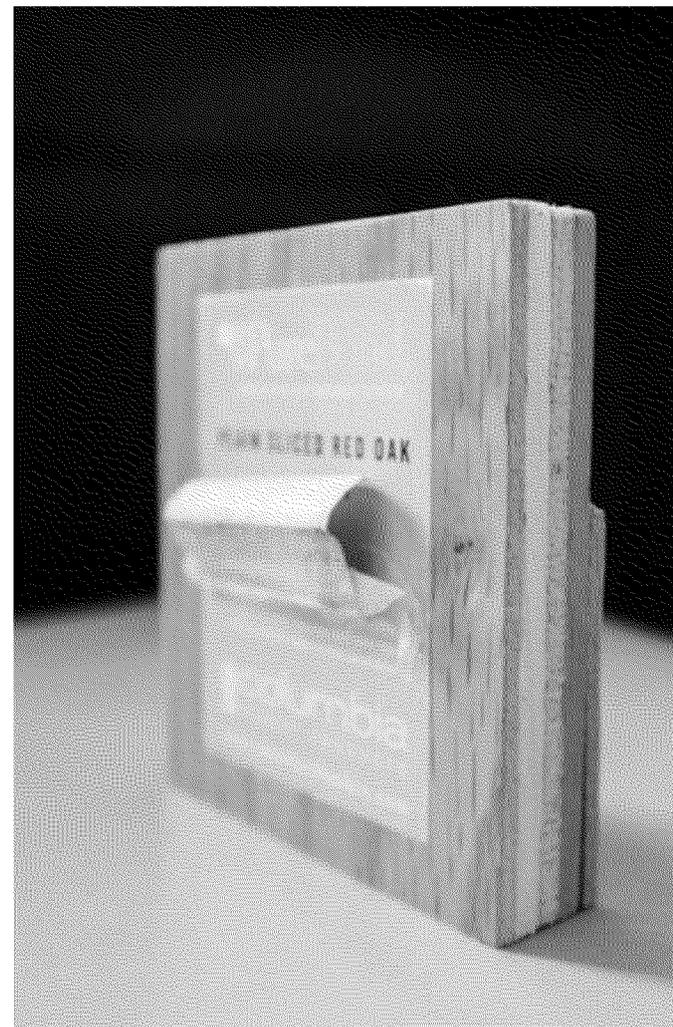
1. Apply for and receive third-party certification for regulated products by an EPA-recognized TPC;
2. Conduct quality control tests on a regular basis to ensure regulated composite wood products meet the emission standards;
3. Meet reporting and recordkeeping requirements, and ensure that all quality control requirements are met; and
4. Label products they produce either separately or by the bundle.



Who Is Regulated?

Fabricators (e.g., furniture makers) must:

1. Ensure they purchase only compliant composite wood products;
2. Keep records documenting supplier's information; and
3. Label any finished goods they produce.



Who Is Regulated?

- Fabricators may also be laminated product producers.
- Laminated products made with formaldehyde-based resins (other than phenol-formaldehyde) to attach a veneer to composite wood products must be tested and certified to meet the HWPW emission standard after December 12, 2023.



Who Is Regulated?

Importers, distributors, and retailers must:

1. Ensure they purchase compliant composite wood products, whether unfinished panels or incorporated into component parts or finished goods;
2. Ensure labels stay intact on individual items or on file if items were purchased by the bundle and sold separately;
3. Use a method sufficient to identify the supplier of the panel or finished good, and link the information on the label to the product; and
4. Importers must provide an import certification for all imports (currently two years after publication of the final rule).



Third-Party Certification Exemptions and Reduced Testing



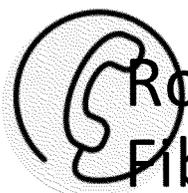
- Panel producers may seek reduced testing or partial third-party certification exemption for products that use of NAF or ULEF resins.
- CARB or EPA-approved TPCs must review and approve applications.
- After the initial two year exemption, panel producers must reapply every two years to continue to qualify for the NAF and ULEF exemptions.
- TPCs may also approve reduced quality control testing for particleboard and MDF.

Stakeholder Outreach



- In-person presentations at meetings, workshops and conferences
 - E-mail list-serve distribution to stakeholders
 - Compliance guides
 - Webinars
-
- The final rule is available online at:
<https://www.regulations.gov/document?D=EPA-HQ-OPPT-2016-0461-0001>.

For More Information



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Visit EPA's website for updates:
<http://www.epa.gov/formaldehyde>